

United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Matthew J. Langdon Case Number: 5:07-CR-000106-009
Name of Sentencing Judicial Officer: Hon. Frederick J. Scullin, Jr., Sr. U.S. District Judge
Date of Original Sentence: July 24, 2008
Original Offense: Conspiracy to Possess With Intent to Distribute and to Distribute Marijuana, 21 U.S.C. § 846
Original Sentence: Time Served (120 days) 4 years supervised release
Type of Supervision: Supervised release Date Supervision Commenced: July 24, 2008
Asst. U.S. Attorney: Carl G. Eurenus Defense Attorney: Michael J. Vavonese

PETITIONING THE COURT

☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<u>Standard Condition #7: The defendant shall not purchase, possess, use, distribute or administer any controlled substance or any paraphernalia related to controlled substances, except as prescribed by a physician.</u> On July 31, 2008 and January 8, 2009, the defendant submitted urine samples for testing that were determined by the laboratory to be positive for marijuana. This violation is based on information received from Kroll Laboratory Services. (Grade C violation)
2	<u>Special Condition #1: The defendant shall participate in a program for substance abuse which shall include testing for drug and alcohol use and may include inpatient and/or outpatient treatment.</u> The defendant submitted to a substance abuse evaluation in September 2008 during which he failed to disclose his use of marijuana in July 2008. He was subsequently directed to receive another evaluation in November 2008, but has failed to do so. This violation is based on the personal knowledge of the Probation Officer, reports received from St. Joseph's Outpatient Clinic and North Star Behavioral Services. (Grade C violation)

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U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

MATTHEW L. BROWN
Chief U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

Approved by: Lori Albright Executed on: January 15, 2009
LORI ALBRIGHT by: Scott R. Shanahan
Supervising U.S. Probation Officer U.S. Probation Officer

THE COURT ORDERS

- ☒ No Action
☒ **The Issuance of a Summons**
☐ Other
☐ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.

Matthew L. Brown
Signature of Judicial Officer
1/20/09
Date